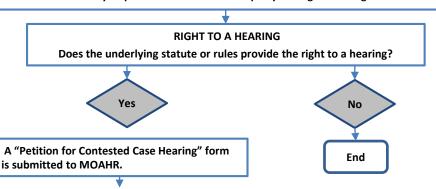
EGLE Permit Contested Case Process

POST EGLE PERMIT DECISION

An appeal of an EGLE permit decision is initiated by filing a petition with the Department of Licensing and Regulatory Affairs' Michigan Office of Administrative Hearings and Rules (MOAHR). There are three types of contested cases: 1. Challenge is to the <u>denial</u> of an application for a permit. Parties are the Petitioner who is the applicant for the permit and EGLE division that administers the program. 2. Challenge is to the <u>issuance</u> of a permit. Parties are the Petitioner who is a 3rd party with standing and the EGLE division that administers the program. The permit holder is given notice that a petition was filed and advised of its right to intervene. 3. EGLE seeks to modify or <u>revoke</u> an existing permit. Parties are the holder of the permit and the EGLE division that administers the program. Under scenarios 1 and 2, a person other than a Petitioner may request to be admitted as a party through the filing of a Motion to Intervene.



MOAHR opens a file and sends a letter to the Petitioner and EGLE division. The letter contains two options:



Parties file pre-hearing statements and a prehearing conference is scheduled.

PRE-HEARING CONFERENCE

The Administrative Law Judge sets hearing dates, sets the date for exchange of witness lists and exhibits, proposes stipulations on threshold issues and, if necessary, sets filing dates for motions and responses.

HEARING

Parties offer the sworn testimony of witnesses, who are subject to cross-examination, and exhibits.

CLOSING ARGUMENTS AND REPLIES

Administrative Law Judge issues the Final Decision and Order (FDO). The FDO and judicial review is limited to the evidentiary record created at the hearing. Continue on to the "Final Decision of a Contested Case – Petition for Review Process" flow chart.



Meet with the division to resolve informally. The case is held in abeyance provided periodic reports are filed. Most cases are resolved through this process.